

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA
~~FILED~~
SCRANTON

ULLOA

v.

FEDERAL BUREAU OF
PRISONS

SEP 28 2015
JL

PER ~~15-CV-00182~~
DEPUTY CLERK

- CIVIL ACTION. ~~15-CV-00182~~
- MOTION FOR DEFAULT
- RULE 60, RULE 55(b)(2)

COMES NOW, Richard-Errique-Ulloa, PETITIONING THIS COURT IN PROPIA PERSONA, SUT JURIS AND SUBMITS THIS MOTION TO ENTER A DEFAULT JUDGEMENT IN FAVOR OF PETITIONER/CLAIMANT BASED ON F.R.CIV.P. 55(b)(2) Respondent has failed to respond to Petition which was an AFFIDAVIT, and has been ESTOPPELED BY HIS NON-RESPONSES TO THE LAWS STATED IN ULLOA PETITION/AFFIDAVIT. Respondent has FAILED TO RESPOND TO ALL ERRORS IN LAW STATED IN PETITION/AFFIDAVIT.

A NON-RESPONSE TO "CLAIMS OF FACT" LAID OUT IN MY COMPLAINT/AFFIDAVIT REQUIRES A DEFAULT JUDGEMENT TO BE GRANTED AND FORCED.

PETITIONER/CLAIMANT IS ALLOWING SEVEN (7) DAYS FOR RESPONDENT TO RESPOND TO THIS MOTION OF DEFAULT AND REQUEST THIS COURT FOR A HEARING AND ISSUE A DEFAULT JUDGEMENT IN 15-CV-00182.

BACKGROUND

- ① A DEFAULT JUDGEMENT MAY BE ENTERED BASED ON / UPON 1) MISTAKE, 2) - INADVERTENCE 3) - NEGLECT, 4) - FRAUD AND 5) - NEW EVIDENCE DISCOVERED.
- ② RESPONDENT NEGLECTED TO RESPOND TO AFFIDAVIT AND COMMITTED FRAUD BY STATING TO THIS COURT THAT ULLOA (PETITIONER/CLAIMANT) OPENED AND IS RESPONSIBLE FOR OPENING SEVERAL CASES, IN DISTRICT AND APPEALS COURT, IN NEW YORK STATE.
- ③ RESPONDENT FAILED TO RESPOND TO PETITIONERS / CLAIMANTS AFFIDAVIT POINT BY POINT, AND IS NOW ESTOPPELED HIS POSITION LEAVING PETITIONERS / CLAIMANTS AFFIDAVIT AS TRUTH WITHOUT REBUTTAL.
SEE CAN OF AFFIDAVITS (3 AM JUR)
AND SECT 20. THIS IS THE DEFINITION OF A DEFAULT JUDGEMENT.
- ④ RESPONDENT DID NOT CONTEST PLEADING IN COMPLAINT OR FILING.
SEE Fed. R. Civ. P. 55 AND US v TWELFTH 550 F2d. 297 299-300, WHICH RULES "SILENCE IS FRAUD", WHERE THERE IS

An OBLIGATION OR MANDATE TO REPLY.
AN ORDER WAS ISSUED TO REPLY TO
THIS COMPLAINT, AND RESPONDENT
REMAINED "SILENT" ON ALL POINTS
OF LAW. THEREBY COMMITTING A
FRAUD UPON THIS COURT.

- ⑤ BY CHOOSING NOT TO REPLY, RESPONDENT
WILL NOT BE ALLOWED TO BE HEARD TO
DENY THIS CLAIM. SEE TAYLOR V CITY
OF BALLWIN 859 F2d. 1330-1333
(8TH CIR 1988)
- ⑥ NOTICE OF DEFAULT JUDGEMENT IS ISSUED
UPON REPLY TO AN ORIGINAL FILING/
COMPLAINT, NON CONTEST, NON-COMPLIANCE
OR CONTEMPT FOR THE LAW WHICH
SUPPORT "WILFUL DEFAULT"
COMBK OF KUWAIT 15 F3d. 238.249
(CA2 1993)
- ⑦ ENTRY OF DEFAULT JUDGEMENT IS DONE AGAINST
"A DISOBEDIANT PARTY OF LAW", "ABUSE OF
DISCRETION", AND "PROHIBITED ACTIONS",
FED. R. CIV. P. RULE 55.
- ⑧ DEFENDANT HAS DISOBeyed THE SHOW
CAUSE ORDER BY NOT RESPONDING

MOTION FOR DEFAULT

By not responding to Ulloa's § 2241
of Petition for immediate release due
to error in law".

Respondent did not respond to any of
the error in law, leaving Ulloa's
affidavit as truth.

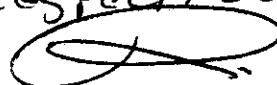
- ⑨ Respondent failed to address the Supreme Court's decisions of BLACK, SKILLING, McNALLY, but instead chose to attack Ulloa by misrepresenting the facts without proof that Ulloa opened all the cases respondent claimed in the Second District and Appellate Courts in New York State.
- ⑩ Since § 1341 is a federally banned statute, defendant/respondent must cure the default. SEE Black at Ginsburg opinion.
- ⑪ For these reasons above and throughout petition / affidavit, petitioner / claimant request habeas be GRANTED, and DEFAULT judgment be entered.
See previous memorandum of law,
DEFAULT judgment, anything less is
UNCONSTITUTIONAL, use of statute

definition is arbitrary and discriminatory practice banned by THE SUPREME COURT.

- ⑫ ULLOA STAND ON ALL AFFIDAVITS, NOTICES, OF OBJECTION, NOTICE OF DEFAULT WHICH HAVE GONE UNANSWERED BY THE RESPONDENT,

THEREFORE ULLOA DEMAND A DEFAULT JUDGEMENT TO BE ENTERED AND HABEAS GRANTED.

DATED: 9/25/2015

RESPECTFULLY SUBMITTED

Richard ULLOA
PRO PER
SUI JURIS

CERTIFICATE OF SERVICE

THE UNDERSIGNED CERTIFIES THAT A
TRUE AND CORRECT COPY OF THIS
NOTICE OF DEFAULT, MOTION OF DEFAULT,
AFFIDAVIT OF DEFAULT, NOTICE OF MOTION
FOR CASE 15-CV-00182 HAS BEEN SENT
BY US MAIL TO THE FOLLOWING
WITH A COPY TO THE CLERK OF THE
USDC OF THE MIDDLE DISTRICT OF PENNSYLVANIA.

ADDRESSEE

MICHAEL BUTLER
US ATTORNEY
228 WALNUT ST
PO BOX 11754
HARRISBURG PA 17108

DATED: 9/28/15



Richard L. Ulloa
PRO PER
SUT JURIS

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PER J. A. DePUTy CLERK

15-CV-00182